



Village Of Nyack

Incorporated February 27, 1883



Asst Building Inspectors
Paul Rozsypal
Fire Inspector
David Smith
Code Enforcement Officer
Richard J. Siddi
Benjamin C. Wolford

BUILDING DEPARTMENT
9 North Broadway
Nyack, New York 1096-2697
(845) 358 - 4249 / FAX: (845) 358 - 0672
www.nyack.gov buildingdepartment@nyack.gov

MANNY A. CARMONA
Chief Building Inspector

ARCHITECTURAL REVIEW BOARD APPLICATION

☒ Disapproved Permit Appl. ☒ Formal Application ☐ Pre-application Meeting (pursuant to §360-5.4A)

Project Street Address: 292 N. Midland Ave Application Date: Sept. 25, 2025

Project Name: Pagano Lot 2

Tax Map Designation: Section 60.77 Block 1 Lot 6.2 Property Classification: single family detached

Project Location: On the west side of N. Midland Ave. approximately, 500 feet north from the intersection of Sixth Ave. and N. Midland Ave. in the Village of Nyack.

Acreage of Parcel .135 ac Zoning District TFR

Historic Landmark: ☐ Yes ☒ NO historic district: ☐ Yes ☒ NO

☐ Listed on or ☐ eligible for listing on the ☐ State and/or ☐ National Register of Historic Places: ☐ Yes ☒ NO

Included in inventory of historic properties & districts within the Village: ☐ Yes ☒ NO

View Protection Overlay District: ☐ Yes ☒ NO

Project Description: (please attach a narrative summary). new single-family dwelling. Existing single-family dwelling to be demolished. See attached

CONTACT INFORMATION

	NAME/ADDRESS	PHONE #/ E-MAIL	LICENSE #
Applicant	Kier Levesque	845-358-2359	
	49 3 rd Ave Nyack, NY 10960	kblevesque@optonline.net	
Property Owner	Giuseppi Pagano	845-570-3663	
	19 Tallman Ave. Nyack, NY 10960	Paganop6@gmail.com	
Architect	Kier B. Levesque Architect	845-358-2359	15,938
	49 3 rd Ave. Nyack, NY 10960		
☐ P.E. ☒ P.L.S.	Jay A. Greenwell Surveying-Land Planning	845-357-0830	49676
	34 Wayne Ave. Suffern, NY 10901	greenwellpls@aol.com	
Landscape R.A.	Yost Design Landscape Architecture	845-365-4595	
	178 Elizabeth St. Pearl River, NY 10965	Yostdesign.com	

Your application is hereby disapproved by the Chief Building Inspector and referred before the Architectural Review Board for review, approval, approval with modifications or disapproval to be issued a permit by the Chief Building Inspector.

§360-5.4B. Application Submittal. (5) Fees and Costs.

☐ **All Others \$250** Date/Receipt # _____

☒ **1 & 2 Family Dwelling \$100** Receipt 9/25/25 Rec # 02245

(b) Recovery of consultant costs. In addition to the development fee, an applicant shall pay all costs billed by the Village for expenses incurred in review of an application, including fees from consultants hired to assist in the review. Escrow funds may be required, at the discretion of the Chief Building Inspector.

(c) Outstanding fees and costs. All fees and costs shall be paid by the applicant prior to scheduling of hearings and/or meetings for any development application. No new applications shall be accepted by the Village until all previous fees and costs associated with an applicant are paid in full by the applicant.

§ 360-5.15 Building permit (ARB review required).

C. Criteria.

In approving the building permit, the Architectural Review Board shall take into consideration the general design framework which respects the scale and architectural character of existing neighborhoods and which will allow development and alterations to be in harmony with and compatible with the existing design and architecture of the Village and not detrimental thereto.

☐ **Complies**

☐ **Does Not Complies**

In reviewing applications, the ARB shall take into account natural features of the site and its surroundings, the exterior design and appearance of existing and planned structures in the immediate area and the character of the area and the Village encouraging the most appropriate use of the property, conservation of property values and prevention of harmful effects.

☐ **Complies**

☐ **Does Not Complies**

Board may attach more or less weight to any guideline or part thereof in relation to other guidelines as may be appropriate under the particular circumstances.

The Board may approve, approve subject to specified conditions or modifications or disapprove any application for a permit referred to it, provided that such action shall be by a majority vote of ARB members,

and provided that the ARB shall not disapprove any application unless it finds the building, structure for which the permit was applied would, if erected, be so detrimental to the surrounding area as to provoke one or more harmful effects due to:

(1) ☐ Excessive similarity or dissimilarity to any other nearby buildings and structures existing or planned in the area of visual impact, in respect to location and alignment along a street related to neighboring development;

- ☐ **architectural massing, width, height, proportion and scale in relation to its surroundings;**
- ☐ **modulation of vertical and horizontal elements of the facades to reflect the scale of neighboring development;**
- ☐ **facade design;**
- ☐ **architectural style;**
- ☐ **exterior surface materials;**
- ☐ **heights of horizontal building features such as sill levels, lintels, cornices, etc.;**
- ☐ **roof design, including roof elements such as dormers;**
- ☐ **porches and porticos and other attachments and projections; and**
- ☐ **rhythm or spacing and proportion of windows, doors, storefront and other aspects of building fenestration;**
- ☐ **the nature of building trim and ornament;**
- ☐ **visibility of mechanical equipment, and other design elements.**

(2) ☐ Inappropriateness of design in respect to the quality of architectural design;

- ☐ **to the nature of materials to be used in construction; and**
- ☐ **incompatibility of design features with the terrain on which it is to be located.**

D. Amendments to the application or to the plans and specifications accompanying the same may be filed at any time prior to the completion of the work, subject to the approval of the Building Inspector if minor. If major amendments, they are subject to the approval of the ARB.

The following documents shall be provided:

- Color photographs of all buildings and structure on the lot and on adjacent properties.
- Color photographs or sample of material to be used.
- Proposed project renderings/photographs.
- Provide required and proposed setback.
- Proposed window, doors, siding and trimming details.
- Affidavit that the proposed work and applicant are authorized by the property Owner (if other than the owner is making the application).
- Project narrative.

_Kier B. Levesque
Applicant Print Name


Signature

BUILDING DEPARTMENT USE ONLY

Application's conformance: This application conforms to the Local Zoning and Planning Law of the Village of Nyack. Applicant is seeking approval to construct a new detached single-family dwelling on an approved two lots subdivision and to demolish and exiting detached single-family dwelling.

§360-5.4B (6) Outstanding municipal violations. Applications for review and approval of any project shall not be deemed complete while there are outstanding municipal violations pending against the owner, owner's agent, or other entity making such application, where such municipal violations are outstanding against all or part of the premises which is the subject of the application.

☒ **No Violations** ☐ **Violations Pending (see attached)**

§360-5.4C. Determination of application completeness. After receipt **one set** of complete submittal of the development application, the Chief Building Inspector shall determine whether the application is complete and ready for review.

☐ **(1)** If the application is determined to be complete, the applicant will be notified of the additional number of copies required to be submitted for the application to then be processed according to the procedures set forth in this code. An application will be considered complete if it is submitted in the required form, includes all required information and supporting materials, and is accompanied by the applicable fee. The determination of completeness shall not be based upon the perceived merits of the development proposal.

☐ **(2)** If an application is determined to be incomplete, the Chief Building Inspector shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected in a future resubmittal. The inclusion of false information in an application is grounds for determination that the application is incomplete.

§ 360-5.4D Application referral, review and staff report. After determining that a development application is complete, the Building Inspector shall process the development application as follows:

Article V Administration, § 360-5.1 Summary and organization of this article, pursuant to Table 5-1: Summary of Decision-making Authority and Public Hearing.

§ 360-5.2C(4) Powers and duties. The ARB shall have the following powers and duties:

☐ (a) To adopt rules and regulations for its operation and to follow said rules and regulations in the conduct of its official business.

☒ (b) **Hear and decide requests and impose reasonable conditions** pursuant to § 360-5.15 for building permits for the construction or alteration of any structure or item within the Village of Nyack that would affect the exterior appearance or would be visible from the exterior, except for site grading and landscaping, but including:

☒ [1] New construction.

Decision-making authority & Public Hearing pursuant to §360-5.1, Table 5-1

☒ (e) **Provide recommendations** related to design and appearances to the

☐ **Village Board** ☒ **Planning Board** ☐ **Other Village boards and agencies** on requests for ☒ **Site Plan development** ☐ **Subdivision** ☒ **Demolition**.

Review & Recommend pursuant to §360-5.1, Table 5-1

☐ (k) To prepare and make available to the public graphic and textual depictions which illustrate design principles to be encouraged throughout the Village or in particular districts or for particular building types and uses.

☐ (l) **Retain** ☐ **counsel** ☐ **clerks** ☐ **secretary** ☐ **engineers** ☐ **architects** ☐ **landscape architects** ☐ **Historic Preservationists** ☐ **Planners** to assist the Board in the conduct of its official business.

☐ (n) To perform such other tasks as may be necessary in the carrying out of the above powers and duties, or any additional powers and duties authorized by law.

☒ **Demolition application** shall be referred to the ARB for a formal advisory recommendation prior to review by the Planning Board, **except for applications on landmark properties or within historic districts when the ARB shall decide**. If the review will be advanced by a joint meeting of the Planning Board and the Architectural Review Board, either Board can schedule a joint meeting or request an advisory opinion from the other Board. The Planning Board will make the decision except for applications involving landmarks or landmark districts when the ARB shall make the decision. Pursuant to §360-5.16.

☒ **Review & Recommend pursuant to §360-5.1, Table 5-1**

☐ **Decision-making authority & Public Hearing**

§ 360-5.4E(3)(c). Posted notice. The applicant shall post notice on the property at least 10 days before the scheduled hearing date. Such notice shall be of a dimension, design and materials as required by the Building Inspector. Notice shall be posted every 20 feet along the front yard, and one additional notice shall be posted conspicuously on each side yard and rear yard property line.

Notice was posted on: 9/29/25 ☒ Posted notice photo

Date application e-mailed to applicant: 9/24/2025

Date application received by the Bldg. Dept: 9/25/2025

Date application is determined to be complete: 9/25/2025

Date of ARB meeting: 10/15/2025

PUBLIC COMMENTS: ☐ Opened _____ ☐ Closed _____
Date Date

☐ APPROVED: _____ to _____
Date Vote Vote

REFERED: ☐ PB ☐ ZBA ☐ NO

☐ DISAPPROVED: _____ to _____
Date Vote Vote

FOR THE FOLLOWING REASONS: _____

MANNY A. CARMONA
Chief Building Inspector